

3764

Application Serial No.: 10/737,016 Attorney Docket No.: 2G02.1-080

**PATENT** 

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LEVAUGHN et al.	) Group Art Unit: 3764
Serial No.: 10/737,016	) Examiner: N/A
Filed: December 12, 2003	)
For: "BLOOD SAMPLING DEVICE"	)

## **INFORMATION DISCLOSURE STATEMENT**

Mail Stop IDS Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 GARDNER GROFF, P.C. Paper Mill Village, Building 23 600 Village Trace, Suite 300 Marietta, GA 30067

March 31, 2004

Sir:

Submitted herewith on form PTO/SB/08a&b is a listing of documents known to applicants and/or their attorneys in compliance with the requirements of 37 C.F.R. § 1.56. Consideration of the cited documents and making the same of record in the prosecution of the above-noted application are respectfully requested. Copies of the U.S. patents and published patent applications are not enclosed. Notice of August 5, 2003, 1273 O.G. \_\_\_\_\_\_. A copy of each foreign document listed is enclosed.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability (37 C.F.R. § 1.97(h)) or statutory prior art, or that no other material information exists. The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



Application Serial No.: 10/737,016 Attorney Docket No.: 2G02.1-080

PATENT

No fee is believed to be due, as this Information Disclosure Statement is submitted within three months of the filing date or before receipt of a first office action on the merits. 37 C.F.R. § 1.97(b). However, if any extension of time is necessary to render this filing timely, please consider this a request therefor. The Commissioner is authorized to charge any additional fees due or credit any overpayment to Deposit Account 50-1513.

Respectfully submitted,

Bradley K. Groff

Registration No. 39,695

GARDNER GROFF, P.C. Paper Mill Village, Bldg 23 600 Village Trace, Ste. 300

Marietta, GA 30067

Tel: 770/984-2300 Fax: 770/984-0098

Certificate of Mailing (37 C.F.R. §1.8)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop **IDS**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

ProdlovA Cr

Date

W:\Client Files\BKG Clients\2G02-Facet\2G02.1-080 Blood Sampling Device (U.S. Nat Phase)\0011.pat (IDS Transmittal).wpd

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reddingon Act of 1995, np persons are required to respond to a collection of information unless it contains a valid OMB control number.

<u>« ነጻ። ነህ የ</u> Substitute for form 1449A/PTO Complete if Known Application Number 10/737.016 INFORMATION DISCLOSURE Filing Date 12/12/2003 STATEMENT BY APPLICANT First Named Inventor LEVAUGHN et al. Art Unit 3764 (Use as many sheets as necessary) Examiner Name Sheet of 3 Attorney Docket Number 2G02.1-080

APR 0 2 2004 &

	132.1		U.S. PATENT	OCUMENTS	
Examiner Initials *	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant
	A	US-4,627,445	12/09/1986	GARCIA et al.	Figures Appear
	В	US- 4,787,398	11/29/1988	GARCIA et al.	
	c	US- 4,794,926	01/03/1989	MUNSCH et al.	
	D	US- 4,823,806	04/25/1989	BAJADA	
	Е	US- 5,279,294	01/18/1994	ANDERSON et al.	
	F	US- 5,318,584	06/07/1994	LANGE et al.	
	G	US- 5,514,152	05/07/1996	SMITH	
	Н	US- 5,628,765	05/13/1997	MORITA	
-	1	US- 5,741,288	04/21/1998	RIFE	
	J	US- 5,871,494	02/16/1999	SIMONS et al.	
	К	US- 5,951,492	09/14/1999	SIMONS et al.	
	L	US- 5,971,941	10/26/1999	SIMONS et al.	
	М	US- 6,036,924	03/14/2000	SIMONS et al.	
	N	US- 6,071,294	06/06/2000	SIMONS et al.	
	0	US- 6,099,484	08/08/2000	DOUGLAS et al.	
	Р	US- 6,228,100	05/08/2001	SCHRAGA	
_	Q	US- 6,472,220	10/29/2002	SIMONS et al.	
	R	US- 2002/0087056	07/04/2002	ACETI et al.	
	S	US- 2003/0073931	04/17/2003	BOECKER et al.	
	T	US- 2003/0083685	05/01/2003	FREEMAN et al	

		FOREIGN PA	TENT DOCU	MENTS		
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document  Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	T⁵
	Α	EP 0 449 525 A1	10/01/ 1991	CASCADE MEDICAL, INC.	Figures Appear	'
	В	EP 0 811 843 A2	12/10/ 1997	BAYER CORP.		
	С	EP 0 877 250 A2	11/11/ 1998	BAYER CORP.		
	D	EP 0 949 506 A2	10/13/ 1999	BAYER CORP.		
	E	EP 0 589 186 B1	11/03/ 1999	MORITA, Susumu		
	F	DE 198 19 407 A1	11/11/ 1999	PRIEBS, Hendrik		
	G	WO 01/66010 A1	09/13/ 2001	ROCHE DIAGNOSTICS GMBH		
	Н	DE 100 57 832 C1	02/21/ 2002	PAUL HARTMANN AG		
	I	WO 02/36010 A1	05/10/ 2002	ROCHE DIAGNOSTICS GMBH		

Examiner Signature	Date Considered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

Complete if Known Application Number 10/737.016 12/12/2003 Filing Date First Named Inventor LEVAUGHN et al. Art Unit 3764 Examiner Name

(Use as many sheets as necessary)

Substitute for form 1449A/PTO

PATENT:

2G02.1-080 2 of 3 Sheet Attorney Docket Number

	U.S. PATENT DOCUMENTS						
Examiner	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Releva		
Initials *		Number - Kind Code <sup>2</sup> (if known)			Passages or Relevant Figures Appear		
	Ū	US-2003/0199789	10/23/2003	BOECKER et al.			
	٧	US- 2003/0199 <b>7</b> 90	10/23/2003	BOECKER et al.			
	W	US- 2003/0199791	10/23/2003	BOECKER et al.			
	Х	US- 2003/0199893	10/23/2003	BOECKER et al.			
	Y	US- 2003/0199894	10/23/2003	BOECKER et al.			
	Z	US- 2003/0199895	10/23/2003	BOECKER et al.			
	AA	US- 2003/0199896	10/23/2003	BOECKER et al.			
	ВВ	US- 2003/0199897	10/23/2003	BOECKER et al.			
	СС	US- 2003/0199898	10/23/2003	BOECKER et al.			
	DD	US- 2003/0199899	10/23/2003	BOECKER et al.			
	EE	US- 2003/0199900	10/23/2003	BOECKER et al.			
	FF	US- 2003/0199901	10/23/2003	BOECKER et al.			
	GG	US- 2003/0199902	10/23/2003	BOECKER et al.	= -		
	НН	US- 2003/0199903	10/23/2003	BOECKER et al.			
	II II	US- 2003/0199904	10/23/2003	BOECKER et al.			
	JJ	US- 2003/0199905	10/23/2003	BOECKER et al.			
	КК	US- 2003/0199906	10/23/2003	BOECKER et al.			
	LL	US- 2003/0199907	10/23/2003	BOECKER et al.			
	ММ	US- 2003/0199908	10/23/2003	BOECKER et al.			
	NN	US- 2003/0199909	10/23/2003	BOECKER et al.			

	FOREIGN PATENT DOCUMENTS						
Examiner	Cite	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines, Where Relevant		
Initials*	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)		Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵	
	J	WO 03/088835 A2	10/30/ 2003	PELICAN TECHNOLOGIES INC.			
	-						

Examiner Signature	100	Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. There office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO Complete if Known Application Number 10/737.016 INFORMATION DISCLOSURE Filing Date 12/12/2003 STATEMENT BY APPLICANT First Named Inventor LEVAUGHN et al. Art Unit 3764 (Use as many sheets as necessary) Examiner Name Attorney Docket Number 2G02.1-080 3 of 3 Sheet

			U.S. PATENT	OCUMENTS	
Examiner Initials *	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	00	US-2003/0199910	10/23/2003	BOECKER et al.	
	PP	US- 2003/0199911	10/23/2003	BOECKER et al.	
	QQ	US- 2003/0212424	11/13/2003	BRIGGS et al.	
	RR	US- 2004/0009100	01/15/2004	SIMONS et al.	
	SS	US- 2004/0010279	01/15/2004	FREEMAN et al.	
		US-	-		
		US-			_
		US-			

	FOREIGN PATENT DOCUMENTS						
Sugarinas	C::-	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines, Where Relevant		
Initials*	Examiner Cite Initials* No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)		Applicant of Cited Document	Passages or Relevant Figures Appear	T⁵	
				-			
	<u> </u>	<u> </u>					
			1 0				

Examiner Signature	Date Considered	
Control of the Contro		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.